

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

**CIVIL ACTION
NO. 17-CV-11847-IT**

**JAMES DONES,
Plaintiff,**

VS.

**WOODS HOLE, MARTHA'S VINEYARD AND
NANTUCKET STEAMSHIP AUTHORITY,
Defendant-Third-Party Plaintiff.**

VS.

**KATHY MODIGLIANI,
Third-Party Defendant.**

JOINT STATUS REPORT

Now come the Parties, the Plaintiff, James Dones, the Defendant/Third-Party Plaintiff, Woods Hole, Martha's Vineyard and Nantucket Steamship Authority (hereinafter referred to as the "Steamship Authority"), and the Third-Party Plaintiff, Kathy Modigliani, and in accordance with this Honorable Court's Scheduling Order dated May 9, 2018, hereby submit their Joint Status Report in preparation for the Status Conference scheduled on September 26, 2018.

The Parties have exchanged written discovery and obtained the deposition of Kathy Modigliani. The Plaintiff's deposition is presently scheduled for October 4, 2018.

The Plaintiff has voluntarily dismissed his Count I for Unseaworthiness and Count II for Jones Act Negligence against the Steamship Authority. His pending claim against the Steamship Authority is now limited to his Count III for payment of Maintenance and Cure. The Steamship Authority maintains its pending claims against

Ms. Modigliani for Negligence, Contribution, Indemnity, and Contribution and Indemnity for Maintenance and Cure.

As of the date of this writing, and pending the Plaintiff's deposition, none of the Parties intend to file dispositive motions.

Mediation is presently scheduled before Magistrate Judge Bowler for October 2, 2018. The Parties are in the process of rescheduling Mediation to a date after completion of the Plaintiff's deposition.

The Parties propose attending Mediation before Magistrate Judge Bowler to attempt to resolve this matter before this Honorable Court sets an expert discovery schedule.

For the Plaintiff,
By his attorneys,

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For the Defendant/Third-Party Plaintiff,
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For the Third-Party Defendant,
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CERTIFICATE OF SERVICE

Pursuant to Local Rule 5.2, I hereby certify that the above document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on September 21, 2018.

“/s/ Kirby L. Aarsheim”
Kirby L. Aarsheim